

ADOPTION TRACKING TOOL (ATT)

Kansas-“Legally free for adoption”: A child in foster care is “legally free for adoption” when the birth parents’ parental rights have been terminated and appeals, if any, have been completely finalized/resolved. The court may terminate parental rights, per applicable statute, or a parent or parents may relinquish their parental rights, per applicable statute. If a parent executes a relinquishment of parental rights, the relinquishment should have been accepted and approved by the Secretary of Department for Children and Families in writing in order to put the Secretary *in loco parentis* to be able to later consent to the adoption of the child. NOTE: If a parent appeals a termination of their parental rights, a petition for adoption of the child may not be filed until the appeal is completed. If workers want to determine whether an appeal has been filed and the status of the appeal, they should seek the assistance and input of their legal staff regarding that issue.

Regardless of whether or not an appeal is pending, workers should continue to obtain and compile all information and documentation needed for the adoption legal packet, with the exception of completing the Adoption Placement Agreement/Subsidy Agreement which should be signed after appeal is completed.

Use of the Adoption Tracking Tool (ATT): When a child has adoption as the case plan goal and parental rights have been terminated by the court or terminated as the result of a parent relinquishing rights and agency accepted and approved such relinquishment, the Tool shall be used to compile all relevant information related to moving the matter forward to adoption and provided to the court (it may be attached to the court report form if one is being filed at the same time). The needed information is fully set out in the Tool to ensure the applicable agency and court have complete and well-organized information to identify progress and any remaining steps to be completed leading up to the filing of a petition for adoption. Some of the information included in the ATT will not apply to every case, i.e. Interstate Compact on Placement of Children (ICPC), Indian Child Welfare Act (ICWA), Social Security benefits. The ATT is intended to be a support and organizational tool for the agency/grantee workers and the court to promote collaboration, communication and focus in moving a case forward when the case plan is adoption and to avoid any unnecessary delay in permanency. The ATT can assist both the agency and the court in clearly identifying any barriers to the case progressing and they may work collaboratively to ensure such barriers are appropriately and expeditiously addressed.

If a DCF grantee determines it wants to use the ATT **internally** prior to child being “legally free for adoption”, said grantee may do so. The ATT should NOT, however, be

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submitted to the court prior to the child being “legally free for adoption”. If parental rights have not yet been terminated or relinquishments given, accepted and approved by Secretary, submitting the ATT earlier could create much confusion for all involved including, but not limited to, parents/caregivers and their attorneys, other bio relatives, GALs, prosecutors and courts. **It is recommended the ATT be attached to the front of the Court Report when it is submitted to the Court as described above.**